

City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit #2024-00036
Approved by Planning and Zoning: June 14, 2024
Permission is hereby granted to: Kokab Anwar Deen
to use the premises located at: 30 South French Street
for the following purpose: see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

June 14, 2024

Karl Moritz (by T. LaColla)

Date

Karl Moritz, Director
Department of Planning and Zoning

DATE: June 14, 2024

TO: Tony LaColla, Division Chief
Department of Planning and Zoning

FROM: Mavis Stanfield, Urban Planner, Land Use Services
Department of Planning and Zoning

SUBJECT: Special Use Permit #2024-00036
Administrative Review for a New Use
Site Use: Child or Elder Care Home
Applicant: Kokab Anwar Deen
Location: 30 South French Street
Zone: R-2-5/Single and two-family zone

Request

Special Use Permit #2024-00036 is a request to operate a child care home at 30 South French Street. The applicant would like to care for up to seven children from the ages of three months to five years. The proposed hours of operation are 7:30 a.m. to 6: p.m., Monday through Friday. There will be a total of two caretakers, the applicant and her husband. The drop off window would occur between 7:30 a.m. to 9 a.m. and the pick-up window would occur between 4 p.m. to 6 p.m. The fenced rear yard has an area of approximately 1,376 square feet of area. The clients would park in the driveway or on the street and walk their child(ren) to the front door.

Background

The subject property is a two-unit home located on a 4,956 square foot parcel. The site is surrounded by two-unit homes to the west, south and north, and townhouses to the east.

The applicant has operated her child care home with five or fewer children for many years and has had no zoning or property maintenance violations related to the use.

Parking

The Zoning Ordinance does not require childcare operations in residences to provide additional parking beyond the residential requirement. No parking spaces are required at this address, located in the Enhanced Transit Area. The applicant has two parking spaces in the driveway of her house that can be utilized for resident and pick-up and drop off parking. There is also ample space on South French Street for drop off and pick-up of children in adherence with street parking regulations.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, Wakefield Tarlton Citizens Association was notified by email. Staff has not received any comments.

Staff Action

Staff supports the applicant's request to operate a child care home for up to nine children under the age of 12. The applicant's proposed child care operation would fulfill a need for additional childcare options in the City. The use is not expected to produce adverse neighborhood impacts since the operation proposed is relatively small. The property would remain primarily residential. Although the applicant is only requesting seven children, Condition #3 limits the number to nine, which is the maximum permitted, to allow the applicant flexibility if she chooses in the future to care for nine children, including resident children under the age of 12 and avoid having to reapply for a new SUP. The driveway would be available for parents' use during drop off and pick-up to maintain the orderly transfer of children.

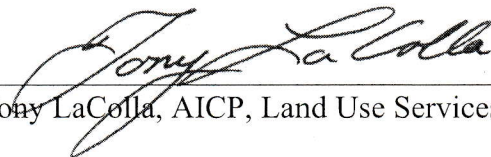
In order to mitigate any potential issues resulting from the childcare home operations at the subject site, Staff has included standard Special Use Permit conditions for the operation of the use.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: June 14, 2024

Action: Approved



Tony LaColla, AICP, Land Use Services Division Chief

- Attachments: 1) Special Use Permit Conditions
3) Department Comments
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2024-00036

The owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. The hours of operation of the childcare home shall be limited to between 7:30 a.m. and 6 p.m., Monday through Friday. (P&Z)
3. The maximum number of children, including any resident children under the age of 12, that may be cared for in the home at any one time shall be nine. (P&Z)
4. The applicant shall maintain all required licenses for operation as a childcare home. (P&Z)
5. The applicant shall maintain 75 square feet of fenced outdoor play space in the rear yard for each child over age two. (P&Z)
6. The applicant shall require its employees who drive to work to use off-street parking spaces. (T&ES)
7. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
8. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. The business shall contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES).
9. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least once a day and at the close of business, and more often, if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
10. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to

docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed.
(P&Z)

CITY DEPARTMENT COMMENTS

Legend C – code requirement R – recommendation S – suggestion F – finding

Transportation & Environmental Services

- R-1 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-2 The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
- R-3 The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
- R-4 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least once a day and at the close of business, and more often, if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)

City Code Requirements

- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Code Administration

According to VCC sec. 310.6.1, a residential house can care for five or fewer people without changing its use, unless the home care center is registered with the state. Therefore, it should not operate or care for more than five children until it obtains a state license.

Fire Department

- C-1 A fire prevention permit will be required for this use.
Application can be accessed online at: ww.alexandriava.gov/fire-department/the-fire-marshals-office
- C-2 Note: a state license is required for this use.

Health Department

No comments received.

Police Department

No comments received.

Recreation, Parks, and Cultural Activities

No comments received.

Department of Community and Human Services, Early Childhood Division

May 28, 2024

ZONE: R-2-5

TAX MAP REFERENCE: 60.01-05-18

Kokab Anwar Deen
30 South French St.
Alexandria, VA 22304

Site visit was conducted on 5/28/2024. This is a three-level town house with four bedrooms, and one half-bath and two full bathrooms. The three bedrooms and one full bath are located on the top level of the home. The front entrance of the home leads into a combined living and dining room space and the kitchen area at the end, with a door on the left side of the kitchen that allows access to the backyard. On the right side of the living room there are steps that lead to the upper level of the home. On the right side of the dining room there is the half bathroom, and a door that leads to the basement of the home which is the area that is used for childcare space. The basement offers enough space for the capacity that Ms. Deen would like to have (7 children). There is a small bedroom where there is one crib for the infant she is caring for, but the bedroom is also used as part of the sleeping area besides the childcare space.

The basement level has a safety gate at the bottom of the staircase to serve as a barrier from accessing the middle level of the home. The space has a full bathroom, which is used for toileting and handwashing purposes. The space has a direct exit that leads to the backyard and serves as an additional emergency exit. The space is child friendly, there is a small table with chairs, that is used for arts and crafts activities. Her program offers a variety of activities that promote learning and creativity for all ages in care. Children's toys are easily accessible to the children. The childcare space has 1 crib that meets crib safety standards. The provider stated to have 2 more cribs in case she gets other infants.

Ms. Deen currently has 3 children enrolled, one of the children is an infant. The home was found clean and organized. All cabinets have safety locks in the kitchen. The outlets are covered. The bathroom does not have any items stored that are hazardous. The basement has one direct exit to the backyard in the event of the need to evacuate during an emergency. Fire evacuation plan and an emergency preparedness plan are in place. All smoke alarms and carbon monoxide detectors are in working order and are checked yearly by Fire and Code Enforcement. Fire extinguisher is in proper working order. First Aid Kit is fully stocked.

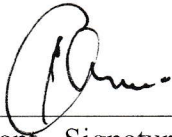
Ms. Deen follows the proper protocol and standards for cleaning and use of supplies as it pertains to state and city requirements. The backyard is fenced and clean that offers plenty of outdoor space for play, furthermore, has playground equipment which is clean and safe. The home and space have sufficient space to **care for up to 7, no more than 9 children.** Ms. Deen's operating hours are M-F 7:30 am to 6 pm and serve children of all ages. The provider will have her husband as an assistant, which is required when caring for more than 5 children at the same time.

R: Approval recommended for Ms. Kokab Anwar Deen's special use permit to allow care for up to (7) non-resident children, pending compliance with other departments recommendations and subject to licensing, registration requirements and other limitations of local and state regulations. The applicant does not have any residential children under the age of 12, which would lower the capacity. Ms. Deen must maintain an assistant for the number of children and the ages she plans to provide care for.

Rosa Chavez, Family Services Specialist
Early Childhood Division
Department of Community and Human Services
rosa.chavez@alexandriava.gov
703-746-5923

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2024-00036. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the childcare home at 30 South French Street.



Applicant - Signature

6/19/2024
Date

Kokab Anwar Deen
Applicant - Printed

6/19/2024
Date